

Cwenar ("Cwenar"). Applicants have amended the claims to more clearly point out the features of Applicants' claimed invention. As described below, these features, and others, are not found in Kitain, or any other reference.

As amended, Applicants' claims are directed towards various aspects of a system that is provides a user with compliance information. As described in Applicants' specification compliance information "is a subset of securities information," that is, "certain information about a security that a government or a stock exchange requires be made available or delivered to an investor in that security" (p.4, lines 8-10). Mutual funds are an example of a type of security for which it is not straightforward to extract compliance information from a database such as EDGAR.

As described in Applicants' specification (p. 4, lines 16-18), a "mutual fund prospectus could be located somewhere within an EDGAR filing that also contains other securities information, such as an amendment to a different prospectus, or a semi-annual report." In other words, compliance information for the various mutual funds offered by a mutual fund issuer are not provided in separate documents, rather, a fund issuer often reports compliance information for multiple funds in the same document. Also, the compliance information for a particular security may be located in multiple documents, since such compliance information includes amendments and prospectuses located in other files. "As another example, compliance information for a variable annuity fund includes the compliance information for the variable annuity fund, and the compliance information for each of the funds available for investment" (p. 4, lines 23-25). Thus, a claimed embodiment of the invention identifies and extracts compliance information from multiple documents of a database such as EDGAR in order to make the compliance information for a particular mutual fund available in a single file. Such a system is useful for offering mutual funds for sale on-line, because sellers are required to provide the compliance information to a potential purchaser: "By extracting compliance information so that it is available in electronic format, the present invention enables electronic securities transactions that could not otherwise take place" (p. 8, lines 13-15).

Kitain is not directed to identifying, extracting, or making compliance information available to a purchaser and Kitain therefore does not teach, suggest, or imply identifying or extracting compliance information, or making compliance information available to a purchaser.



Kitain is just “[a]n integrated computer-implemented corporate information delivery system” (Abstract, lines 1-2). Kitain is a system “for providing investment research reports to investors and investor advisors” (Col. 6, lines 62-64) that makes various types of information from multiple sources available to an investor. The Kitain system provides “corporate information,” which includes “information contained in annual reports, quarterly reports, SEC filings and press releases, information about upcoming events, latest news about the entity, recent management presentations, briefings for analysts and portfolio managers, and the like” (col. 7, lines 19-29). The information provided by Kitain is used to help investors decide whether or not to invest. Kitain does not identify or extract a particular type of information from the various sources, or associate or integrate the information in such a way that it fulfills a broker’s disclosure obligations. The Kitain system is not intended to fulfill disclosure obligations of a broker to a potential purchaser of securities. As such, Kitain does not teach or suggest many claimed features of Applicants’ invention.

As a preliminary matter, Kitain does not teach or suggest making available compliance information that is required to be provided to a purchaser by the securities seller or broker. Further, Kitain does not teach or suggest identifying or extracting compliance information that may be included in the Kitain system’s corporate information. Kitain does not teach or suggest identifying compliance information associated with the same security in multiple filing documents, nor does Kitain teach or suggest providing compliance information for mutual funds offered by different fund issuers.

Kitain also does not teach or suggest identifying the effective date of compliance information to determine its usefulness as compliance information. Neither does Cwenar, which is directed to a securities trading system, teach or suggest use of the effective date of compliance information. The “compliance means” in Cwenar described at col. 2, lines 41-51 is used to “provide instructions regarding stopping, delaying or proceeding with the proposed trade with appropriate records being kept.” In other words, the “compliance means” in Cwenar keeps the records necessary to report that securities trades have occurred. This is a completely different type of “compliance” than pre-purchase compliance information claimed by Applicants. As evidence of this fact, Applicants note that nowhere in Cwenar do the two words “effective date” appear together.

Amended Claim 1 recites, in part, “identifying at least one portion in each of at least two documents in the acquired securities information as compliance information for a particular mutual fund.” Kitain does not teach or suggest identifying or combining portions of two documents. Kitain does not teach or suggest identifying portions of a document as compliance information, and does not teach or suggest identifying portions of a document as compliance information for a particular mutual fund. Nowhere does Kitain teach or suggest extracting compliance information for a mutual fund from various filings. Further, amended claim 1 recites, in part, “creating a computer-readable file from the identified portions wherein the computer-readable file comprises compliance information for the particular mutual fund.” Kitain does not teach or suggest providing a single file comprising compliance information for a particular mutual fund. Because these claimed elements are not taught or suggested by Kitain or any other references, amended claim 1 should be allowed.

Dependent claims 2-7 and 32, as amended, are patentable because they depend on a patentable base claim. In addition, as recited in amended claim 4, in part, “the computer-readable file comprises a prospectus of the particular mutual fund.” Kitain does not teach or suggest providing a single file comprising a mutual fund prospectus. Amended claim 5 recites, in part, “matching a central index key to a CUSIP number associated with the mutual fund, wherein the central index key is provided by EDGAR.” Kitain does not teach or suggest using a central index key, let alone a central index key provided by EDGAR. Kitain does not teach or suggest matching the central index key to a CUSIP number to identify a document portion with a particular mutual fund. Amended claim 6 recites, in part, “identifying portions of the acquired securities information as the identified compliance information,” “identifying the start and end of the identified compliance information,” and “extracting the identified compliance information.” Kitain does not teach or suggest identifying portions as compliance information, nor identifying the start and end of compliance information, nor extracting identified compliance information.

Amended claim 7 recites, in part, “identifying the effective date of the identified compliance information.” “identifying an amended compliance information item that the identified compliance information is amending,” and “determining the effective date of the identified compliance information from the effective date of the amended compliance information.” New claim 32 recites, in part, “the computer-readable file comprises effective

compliance information for the particular mutual fund.” Because Kitain does not teach or suggest identifying compliance information, Kitain does not teach or suggest determining the effective date of compliance information. Nor does Kitain teach or suggest why determining the effective date might be useful or important.

As amended, claim 8 recites, in part, “an obtainment subsystem for acquiring securities information from one or more database sources and for extracting compliance information from at least two documents each comprising compliance information for a particular mutual fund.” As described above, Kitain does not teach or suggest extracting compliance information, or extracting compliance information from multiple documents. Claim 8 also recites “an accessing subsystem for providing access to extracted compliance information for at least two mutual funds offered to investors by different fund issuers over a computer communications link.” Kitain does not teach or suggest a system that provides access to the compliance information for more than one mutual fund. Kitain does not teach or suggest a system that provides access to compliance information for mutual funds from different fund issuers.

Amended dependent claims 9-11 are patentable because they depend on a patentable base claim. In addition, claim 9 recites, in part, an acquisition subsystem, a cataloging subsystem, and a splitting subsystem. None of these subsystems are taught, suggested, or implied by Kitain, because Kitain has a different purpose. Claim 10 recites, in part, “an effective date subsystem for identifying the effective date of the compliance information,” and “a quality assurance subsystem for reviewing the compliance information to assure its correctness.” Kitain does not teach or suggest determining or using the effective date of compliance information. Kitain does not teach or suggest reviewing compliance information to assure its correctness.

Amended independent claim 12 and amended independent claim 18 each recites, in part, “searching each of the subset of documents for compliance information,” “recording document identifiers for any of the subset of documents containing the compliance information,” and “extracting the desired compliance information.” Again, Kitain does not teach or suggest any of these steps because they are directed to identifying and extracting compliance information. Claim 12, as amended, also recites that the compliance information is extracted by “(i) marking the lines of text in the document containing the compliance information, (ii) identifying a start line and an end line of the compliance information, and (iii) copying the compliance information

starting at the start line and ending at the end line.” These steps are not taught or suggested by Kitain.

Amended dependent claims 14-17, and 19-24 are patentable because they each depend on a patentable base claim. In addition, claim 14 recites, in part, “determining the effective date of compliance information,” claim 20 recites, in part, “determining a date that the desired information is effective,” and claim 21 recites, in part, “storing the extracted compliance information and the effective date.” Kitain does not teach or suggest using the effective date of compliance information in any manner. Claim 17 recites, in part, that “the start line and the end line are identified at least two times independently,” and claim 24 recites, in part, “the sub-step (ii) of identifying a start line and an end line of the compliance information is performed at least two times independently.” Kitain does not teach or suggest identifying the start and end line of compliance information, nor identifying the start and end lines two times independently.

Amended independent claim 25 recites, in part, “a computer-readable storage medium for storing compliance information in electronic format of at least two mutual funds offered by different fund issuers” and “an indexer for indexing the compliance information and producing an index page comprising page identifiers for each item of compliance information for one of the mutual funds.” Kitain does not teach or suggest storing compliance information of at least two mutual funds offered by different fund issuers. Kitain does not teach or suggest an index page comprising page identifiers for each item of compliance information for a mutual fund.

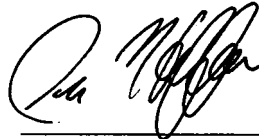
Amended dependent claims 26 and 27 are patentable because they each depend on a patentable base claim. In addition, claim 27 recites, in part, “the indexing is based upon a CUSIP number for each mutual fund.” Kitain does not teach or suggest the use of CUSIP numbers to identify mutual funds, much less to provide an index based on a CUSIP number.

Amended independent claim 28 recites, in part, receiving a CUSIP number unique to a particular mutual fund,” “determining whether effective compliance information is available for the particular mutual fund,” and “if effective compliance information is available, transmitting compliance information for the mutual fund specified by the identifier.” Kitain does not teach or suggest the use of CUSIP numbers to identify mutual funds. Kitain does not teach or suggest determining whether compliance information is available for a particular mutual fund. Kitain does not teach or suggest providing an index based on a CUSIP number.

**CONCLUSION**

In view of the foregoing, applicants respectfully request reconsideration, withdrawal of the rejections, and allowance of all claims in due course. If the Examiner believes that a telephone conference with Applicants' attorney would be helpful, the Examiner is invited to contact the Applicants' attorney at the number below.

Respectfully submitted,



---

Ira V. Heffan  
Attorney for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

Date: February 22, 2000  
Reg. No. 41,059

Tel. No.: (617) 248-7176  
Fax No.: (617) 248-7100

4691/2.947426